



Chief Local Elected Officials Guide

For Initial
Implementation
Activities of the
Workforce Investment
Act

Commonwealth of Virginia

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I. Introduction

This guide provides information for Chief Local Elected Official (CLEOs) as implementation of the Workforce Investment Act (WIA) begins, with Chief Local Elected Official's Agreements being formed and Local Workforce Investment Boards (LWIBs) being appointed. It is not intended as a complete overview of the WIA; however, more information can be obtained by visiting the Virginia Employment Commission's website at www.vec.state.va.us, or by calling the WIA Program Unit at (804) 786-2171.

In 1998, the WIA was signed into law, ending the 16 year old Job Training Partnership Act (JTPA) and recognizing the need for a more unified system of publicly funded employment and training services.

CLEOs will have a stronger role in this new system, due in large part to the efforts of the National Association of Counties and the League of Cities. New opportunities now exist for the CLEOs to take an active role in establishing and overseeing this new system and working as active partners with the local workforce boards, while also having a more visible role with the Commonwealth through the Virginia Workforce Council and the Governor.

To take full advantage of the extensiveness of the WIA, local workforce board members should be individuals who are actively involved, energetic and interested in all aspects of workforce development. Indicating the key importance of LWIB members is the requirement that they also be individuals with ultimate decision-making authority from the area's business, education, human service sectors as well as other partners within the workforce investment area.

Guidance will be forthcoming on such issues as development of the local strategic plan, the certification process for One-Stop Operators and the process for LWIBs to establish service delivery under WIA.

II. Moving from JTPA to WIA

A. What is different about the Workforce Investment Act (WIA)?

Some of the key items making the WIA different from the Job Training Partnership Act that it replaces are as follows:

- ❖ The state, through the Virginia Workforce Council, establishes the vision and goals for the workforce development system, with the local workforce boards becoming a part of the statewide system and carrying out strategies and policies that build on state investments while also developing strategies to address local issues.
- ❖ WIA mandates a “One-Stop” system approach for integration of service delivery.
- ❖ WIA establishes Local Workforce Investment Boards (LWIBs) to oversee the One-Stop delivery system and a Youth Council as a subgroup of the board.
- ❖ The role of the Chief Local Elected Officials (CLEOs) is more prominent to ensure that there is vision, leadership and accountability for the system that is reflective of and responsive to the local area.
- ❖ The partnership between the CLEOs and the LWIB is strengthened to ensure that local needs drive the system.
- ❖ The role of the local board is focused more towards strategic planning, improving coordination and leveraging workforce development dollars, not controlling “partner” funding sources.
- ❖ LWIBs, or board staff, cannot operate programs directly.
- ❖ WIA activities and services may be utilized by a broader range of individuals and are not limited to those who are disadvantaged.
- ❖ Three levels of services are provided for under WIA including core services, that are available to everyone, intensive services and training services.
- ❖ WIA is not a block grant but calls for strategic planning among the WIA partners and common use of the One-Stop system.
- ❖ CLEOs will take a more active role in youth activities associated with WIA. CLEOs and the local boards, with their Youth Councils, together determine the mix of year-round and summer programs by developing a complete scope of youth services. There is no separate appropriation for Summer Youth Programs.
- ❖ Workforce development issues are more prominently linked to the economic development needs and issues in the Commonwealth.

B. How might a Local Workforce Investment Board (LWIB) member differ from a PIC member?

- ❖ The local workforce investment boards under WIA are not intended to “micromanage” detailed program operations, but are instead envisioned to operate at a broader level of strategic planning.
- ❖ Appointees, from both the public and private sectors, **must be** those with optimum policy making authority, meaning those who function at a high level in the organization they represent.

- ❖ Members from the business community **must** compose a majority of the local board and **must be** individuals who are owners, chief executive officers, chief operating officers, or other individuals with optimum policy-making or hiring authority.
- ❖ Board members should have area-wide interests that include, but are not limited to, larger labor market issues, area-wide planning/cooperation and economic development.
- ❖ WIA incorporates additional programs and requires local board representation from certain types of agencies that may not have been involved under JTPA. These agencies may be referred to as “partner” agencies. Required “partners” include members representing education providers, labor organizations, community-based organizations (including those serving disabled individuals, older Americans and veterans), economic development agencies and one-stop program partners.

C. How will Virginia’s Required Partners be linked together?

The required One-Stop system in the Commonwealth will provide services through centers, including at least one physical, full service center in each of the local workforce investment areas and also through a network of affiliated, electronically linked centers. The number and type of centers in an area will be determined locally by need and resources. WIA requires three basic methods of ensuring a seamless one-stop system:

1. A Memorandum of Understanding between the local board and the one-stop partners,
2. Local Board representation for each of the one-stop program partners, and
3. A description of how all program partners for a local area will participate in the One-Stop delivery system must be included in the Local Strategic Plan.

D. Virginia’s Coordinated Planning Efforts

The Commonwealth has established a State Steering Committee and a network of broad-based task groups to ensure a collaborative planning process for the implementation of the WIA that includes individuals from local areas and state agencies throughout the Commonwealth. The state also maintains a website at www.vec.state.va.us that includes information, schedules, policies and other matters pertaining to Virginia’s implementation of the Workforce Investment Act.

In addition, the Commonwealth is currently developing a Local Planning Guidance document that will outline the format for the local strategic plan. This guidance will allow for local plans to be developed in a manner that is consistent with the format of the State Plan, while also allowing flexibility for local areas to address issues which may be unique in different parts of the state. This planning guidance will be released shortly.

E. Basic Timeline for Implementation of the WIA

12/99	2/00	3/00	4/00	7/00
Local Workforce Areas designated by the Governor	Local Workforce Investment Boards appointed	<ul style="list-style-type: none">- Draft WIA Local Plans due to VEC- Local plans posted for public comment	<ul style="list-style-type: none">- Final Local plan due to state- Youth Program begins- State Plan submitted to DOL	<ul style="list-style-type: none">- WIA Adult & Dislocated Worker program starts- JTPA funds end, WIA Title I funds begin

III. Initial Activities of the Chief Local Elected Official

A. Application for designation of the Workforce Investment Area

WIA encourages consolidation and regional cooperation to address workforce development issues. CLEOs have already made application to the state for local workforce area designations. Some areas have chosen to stay aligned in the current Service Delivery Area configuration, while others have opted to form new alliances that reflect changes in local labor markets, commuting patterns and regional affiliations. The Virginia Workforce Council took action on the designations at its November 19, 1999 meeting and forwarded its recommendation to the Governor. Final designations from the Governor are expected in December of 1999.

B. Create Chief Local Elected Officials (CLEO) Agreement

The first responsibility among the local jurisdictions after a local workforce investment area is designated within the Commonwealth will be to enter into a CLEO agreement with all of the member jurisdictions. A sample of such an agreement is found at Attachment C. The agreement forms the basis on which local jurisdictions work together. The following items should be considered in drafting a consortium agreement:

- **The jurisdiction that will serve as grant recipient,**
- A sub-recipient or fiscal agent of the WIA funds, if desired by the local area,
- A formula or distribution methodology for providing funding for services under WIA,
- The process of sharing associated liability for any misuse of WIA funds,
- Respective roles of member jurisdictions for appointment of LWIB members,

- The process for conducting oversight of local programs, determined in conjunction with the Local Workforce Investment Board,
- With the local workforce board, the process for participating in the development and submission of the local plan,
- The process for establishing LWIB and Youth Council nominations, appointments and certification.
- The process for selection of the one-stop operator(s), determined in conjunction with the local workforce board, including the formulation of a Memorandum of Understanding (MOU) between the Local Workforce Investment Board and the selected operator, and
- The process for approving a budget developed by the local workforce board for carrying out its duties.

The first item listed above must be included in a consortium agreement; however, the Commonwealth strongly encourages the inclusion of all of these items. Other items of shared concern among the member localities should also be included.

C. Appointment of the Local Workforce Investment Board

1. Role of the Workforce Investment Board - In Brief

A local workforce board in each of the local workforce investment areas has the central role of providing leadership and direction on local strategic workforce issues, identifying local needs and developing strategies to address those needs. The local workforce board will be responsible for administering the Title I program of WIA and the Welfare-to-Work program. The local workforce board is appointed by the CLEO, and then works in conjunction with the CLEO, to:

- develop the local area's workforce investment strategic plan;
- select the One-Stop Operator(s);
- appoint the Youth Council **along with the local elected officials**;
 - Youth Council members may be drawn from the board, but Youth Council members should also be drawn from other interested individuals who represent local youth programs, activities, interests, etc.
 - As CLEOs seek nominations and make appointments to the full board, they should keep in mind the need for members who have an interest in, or connection to, youth services and programming.

Note: A more complete listing of board responsibilities can be found in Policy 99-2, Establishment of Local Workforce Investment Boards, which can be found at the Virginia Employment Commission's webpage: www.vec.state.va.us or in the Act at Section 117(d)(1-8) at the U.S. Department of Labor webpage: www.usworkforce.org. This site also provides a link to the WIA regulations, and Part 661, Subpart C also expands upon these responsibilities.

2. Composition Requirements and Criteria

The following table provides the requirements for membership to the local workforce investment boards and the criteria developed for nominations to the local workforce board.

General Provisions

- ❑ Business representatives should reflect an appropriate mix of small, medium and large employers in the local workforce area.
- ❑ Appointed individuals who later retire or are no longer in the position that made them eligible can continue on the local workforce board at the discretion of the CLEO, but not as the representative of the original appointment unless they were appointed as an individual.
- ❑ Members should be appointed for staggered terms to provide for continuity on the local workforce board.
- ❑ Vacancies resulting from resignations or removal of mandatory members must be filled within 120 days.

Composition Requirements	Nomination Process Criteria
<i>Private Sector Business (Majority of LWIB Members)</i>	
The majority of the board must be represented by businesses from the area, and must be businesses with employment opportunities that represent employment opportunities within that area.	To ensure that business members actively reflect the employment opportunities in the area, representatives should be an appropriate mix of small, medium and large employers that also represent urban, suburban and rural interests to the extent possible.
The board must be chaired by a business representative	The LWIB must elect their chair from the among the business representatives.
Nominations are to be made by local business organizations and business trade organizations. Individual businesses may also nominate themselves or provide nominations of other businesses.	Nominations must be actively sought from local business organizations and trade associations from the entire area. Only 1 nomination per slot is needed.
Nominees must be business owners, chief executive, or operating officers or employers with optimum policy-making or hiring authority	Nominations must be actively sought from those who have the decision-making/hiring authority and not those who represent such individuals.
<i>Two or more representatives from each of the following categories:</i>	
Local educational entities selected from nominations by regional or local educational agencies	<ul style="list-style-type: none"> Nominations must be sought from regional or local educational agencies. Efforts should be made to seek representatives who will have an interest and background in youth issues for possible appointment to the Youth Council.
Labor organizations nominated by local labor federations	<ul style="list-style-type: none"> Nominations must be sought from local labor federations (or, for a local area in which no employees are represented by such organizations, other representatives of employees.)
Community based organizations	<ul style="list-style-type: none"> WIA includes a wide variety of new

	programs. CLEOs should actively approach agencies that are reflective of the diversity in the local area.
Economic Development organizations	<ul style="list-style-type: none"> Nominations may also be sought from public or private sector agencies/organizations
Others as deemed appropriate by the Chief Local Elected Official	<ul style="list-style-type: none"> CLEOs have the option locally of appointing additional members
<i>Representatives from the mandatory One-Stop Service Delivery Entities: (These are minimum requirements with discretion at the local level for additional representatives.)</i>	
Local School Boards	1 representative of Adult Education and Literacy
Local Community Colleges	1 representative of Postsecondary Vocational Education
Community Action Agencies	1 representative of Welfare to Work, Community Service Block Grant
Department of Rehabilitative Services/ Department for the Visually Handicapped	1 from each to represent of Title I of the Rehabilitation Act
Area Agencies on Aging and/or Nationally funded Older Worker Employment and Training Programs	1 representative of Title V of the Older Americans Act
Local Virginia Employment Commission offices	1 representative of Wagner-Peyser (Employment Service), Unemployment Compensation, Trade Adjustment Assistance and NAFTA Adjustment Assistance Programs, Veterans Employment & Training Programs
Redevelopment and Housing Authorities	1 representative to address US Dept. of Housing & Urban Development Employment & Training Programs
Appoint as necessary if national programs are present in the local area	Job Corps, Migrant & Seasonal Farm Worker Programs, Indian & Native American Programs and Youth Opportunity Grants
<i>Other - CLEOs may add additional members such as:</i>	
May include Adult occupation training programs, Apprenticeship Programs, School-to-Work, Juvenile Justice Training Programs, Virginia Enterprise Initiatives and Mental health Employment and Training Programs	Additional members could be added based on their involvement and/or interest in the One-Stop delivery system

D. Certification of the Local Workforce Investment Boards

1. Certification of the local boards by the Governor will occur within 30 days of the submission of the LWIB member listing and supporting documents, with recertifications to follow every two years. This certification will be based on:

- Criteria based on the membership requirements in WIA. (outlined previously in Section C above and in Policy 99-2 of the Virginia Workforce Council)

- Proper submission of nomination and certification forms as outlined in Policy 99-2.
- For subsequent certifications of the LWIB, the Governor will consider the extent to which the LWIB has ensured that workforce investment activities carried out in the local area have enabled the local area to meet the local performance measures identified in the Local Strategic Five-Year Plan.
- Additional guidance on the certification process can be found in Policy 99-2, Establishment of Local Workforce Investment Boards, which can be found at the VEC webpage: www.vec.state.va.us.

2. If the local elected officials cannot agree on members for the board, the Governor may appoint the members of the board from individuals that have been nominated via the local process.

3. The Governor may also decertify a board under either of the following conditions:

- fraud, abuse or failure to carry out functions.
- failure to meet local performance measures for 2 consecutive years.

E. Regional Planning and Cooperation

As a part of developing the State Plan, Virginia may require regional planning and cooperation between two or more local workforce boards. Two or more states may also designate interstate regions for these same activities. Required activities include:

- Planning that results in establishing regional performance measures,
- Information sharing on employment statistics, employment opportunities and trends, and other information that might improve performance, and
- Coordination of services, including transportation and supportive services.

F. Check List of Tasks for Local Elected Officials

The following is a suggested checklist of tasks in their suggested order to be accomplished prior to July 1, 2000:

- | | |
|-------|--|
| _____ | Develop and adopt resolution for working together with other jurisdictions in local area (Attachment B) |
| _____ | Develop CLEO Agreement (Attachment C) |
| _____ | Develop CLEO Consortium By-laws (Attachment D) |
| _____ | Begin nomination process for LWIB members (letters to appropriate business and labor organizations, other organizations, current PIC members, etc. as well as public notification) |
| _____ | Close nomination process for LWIB members |

_____ Submit nominations for LWIBs to the State for certification

_____ Local boards certified by Governor. Begin drafting CLEO-LWIB agreement

_____ With LWIB, begin work on Local Plan

IV. Ongoing Role of the Local Elected Official

A. Serve as grant recipient and fiscally liable party for grant funds under WIA

Title I adult, dislocated worker and youth programs.

Slightly different from the arrangement in place since 1984 under the Job Training Partnership Act, the local elected officials are named directly as the grant recipient. CLEOs do have the option to designate another entity to serve a subrecipient or fiscal agent of the funds. However, the CLEOs retain fiscal liability regardless of whether they designate another entity to be the subrecipient or fiscal agent. Fiscal liability referenced herein only applies to the WIA Title I funds, not to any of the other One-Stop partner agency funding.

B. Approve budget for carrying out duties of the Local Board

The Local Workforce Investment Board is responsible for developing a budget for the purpose of carrying out the duties of the Local Board and WIA Title I programs, but that budget is subject to approval of the chief local elected official(s).

C. Provide comprehensive oversight of the activities of the board

The WIA provides for local elected officials to be involved in the majority of local board activities. The exact wording or the role varies, including phrases such as: *with the agreement of, unless agreed to by, in partnership with, subject to the approval of, in cooperation with and consulted with*. Except where it clearly states "approval"

with *approval of the budget*, the details of how local elected officials and workforce

development boards will work together should be negotiated and contained in an agreement between the two groups. A sample CLEO-LWIB agreement will be provided shortly.

D. Ensure that partnerships are functioning effectively

The CLEOs play a major role as facilitators with the board and the partner agencies to make sure that job seeker and employer customers are being served and that local needs are being met through the establishment of the local vision and the more present leadership role offered by WIA. The effectiveness of the board will be a factor in recertification every 2 years, and local elected officials should take an active role in monitoring this. The LEO-LWIB agreement should reflect this monitoring/oversight commitment.

V. Partnership Roles of the Local Elected Official under the WIA

This section provides an overview of the roles and responsibilities for CLEOs in the overall Workforce Investment Act. These activities most likely will be initiated by others and brought to the CLEOs for consultation, or to seek concurrence or approval.

A. In Partnership with the Local Workforce Investment Board

The following are duties that the CLEOs and LWIB **must** do together:

- Appoint a Youth Council as a subgroup of the LWIB, based on WIA criteria (Sect. 117(h)(2)) and agreement of board chairperson and chief elected official
- Develop 5 year strategic Local Plan, consistent with WIA Sect. 118, for the local workforce investment area
- Conduct oversight of the One-Stop system, youth activities, and employment and training activities
- Select One-Stop operator(s) and training providers and may also terminate for cause
- Agree on Memorandum of Understanding between the LWIB and the One-Stop operator(s).
- Negotiate and reach agreement on performance measurement levels and any additional local measures (Local Boards, CLEOs and Governor)

B. In Partnership with the Governor

The following are duties that the CLEOs and Governor **must** do together:

- Negotiate and reach agreement on state and local performance measures (Local Boards, CLEOs and Governor)
- Agree on conducting regional planning activities in lieu of individual area planning requirements
- Coordinate on state Rapid Response activities and disasters, plant closing, and mass layoffs

C. In Partnership with the Virginia Workforce Council

The following are duties that the CLEOs and Virginia Workforce Council **must** do together:

- A chief elected official is represented on the state council
- Consultation with CLEOs on methods and factors used for distributing youth and employment and training funds

VI. Attachments

- A. Partner Relationships
- B. Sample of Resolution for Jurisdictions to Work Together
- C. Sample of a Charter CLEO Agreement

**WIA Title I
KEY PARTNER RELATIONSHIPS**

The following is a descriptive narrative to help the reader understand the various groups and their relationships. This does not indicate any final State policy at this time.

Governor

The Governor will establish the framework for implementing WIA including key areas of policy governance and workforce development system directions. As a member of the Virginia Workforce Council (VWC), Governor Gilmore will provide the direction on a continuing basis to the VWC for addressing the workforce issues of Virginia.

Virginia Workforce Council

The Virginia Workforce Council will work hand-in-hand with the Governor on an overall workforce vision and specific strategies to best serve employers and job seekers. The Council will work toward the alignment of workforce development funding of individual programs through common objectives. This will involve interaction with affected partners. The Council's ongoing plan approvals and policy/programmatic oversight roles will help to ensure the accomplishment of statewide objectives that will be inclusive of local needs and economic interests. Additional direction will also be provided directly to the local Local Workforce Investment Boards. Finally, further emphasis will be placed on addressing the labor shortage needs with improved employer linkages.

Initially, the Council, in tandem with the VEC, will focus on key implementation aspects of WIA Title I including directions to the local elected officials on key issues of local board criteria and allocations; certifying local boards and training providers; negotiating performance levels with DOL and the local boards. Information on individually funded programs for local partner actions will also be provided. The Council's review and approval of the WIA Plan will begin a new phase of comprehensive workforce training, education-related training and employment placement activities among the WIA partners which the Council will continually monitor and adjust policy directions accordingly.

Chief Local Elected Official(s)

After the chief local elected official(s) designate a grant recipient and agree on appointments to the local board, there will be an ongoing relationship between the CLEOs and the local board. Whether the CLEOs regularly attend board meetings, or establish other venues, they will be continually establishing the local vision and providing leadership by working together on youth council appointments; identifying roles and responsibilities of all parties including selecting a One-Stop Operator(s); and an operating budget. The CLEOs must also agree on performance

measures for the local workforce system. In general, the CLEOs have ongoing oversight of the local board's activities due to their legal liability and their involvement in this system will be the key to maintaining private sector involvement.

The CLEOs will also be the liaison to the other local elected officials, and may serve in a broker role among state/local policy-makers or one-stop partners. In conjunction with the local board, the CLEO will connect with the Governor/Council on rapid response issues and negotiate performance measures. Cooperation on larger pieces such as regional planning and economic development/labor market issues will also regularly occur between the CLEOs and the local boards.

Local Workforce Investment Boards

A local workforce investment board in each of the workforce investment areas will serve the principal role of providing direction on establishing the local workforce development system, identifying local strategic workforce issues, identifying local needs and developing strategies to address those needs. The local workforce board will be appointed by the CLEO and work in conjunction with the CLEO to establish infrastructures, and operational and programmatic protocols, including: development of the 5-year strategic workforce investment plan; selection of the One-Stop Operator; and appointment of Youth Council. The board will interface with all of the mandatory one-stop partners and other partners determined by the State or CLEO as individuals at the table on the local board and as service providers or contractual agents for services. Brokering may need to occur with other non-traditional service providers and other community groups when the board certifies designated One-Stop facilities and determines resources for other sites/networks. As local entities package these operational pieces ongoing dialogue will occur with state agencies for technical assistance and contract compliance.

In addition to the policy and oversight roles of the local workforce board, they will provide outreach to employers to meet the WIA requirements of developing employer linkages and economic development strategies to assist employers in meeting hiring needs. There will also be dialogue with neighboring workforce investment areas to meet any regional planning interests. Finally, the boards will make contact with the general public to garner input on their plan, meet open meeting law requirements, and provide performance and cost information on training providers.

One-Stop Operator(s)

The One-Stop Operator(s), mutually selected by the CLEO and local board, may be an independent contractor, or a consortium of entities. Its role will be agreed to by the LWIB ranging from simply coordinating service providers within the designated one-stop center or system to being the primary provider of services within the center. This entity will work directly with the WIA partners, the training providers and contractual entities for training. Depending on the entity designated, it could also be the direct link to the Job Seeker/Employer Customers.

Models will be developed for consideration by the local boards in the local planning guidelines.

WIA Partners

Each WIA designated, and State identified partner must have representation on the local board. Continual dialogue will occur among the board and partners as joint efforts are solidified including the memoranda of understanding on their operational responsibilities to maintain the

one-stop delivery system, and the delivery of core services applicable to the partner's programs. Each WIA must have at least one designated one-stop center with comprehensive core services, and must provide access to other programs and activities provided by each WIA partner. Ongoing working relationships will continue for the efficacy of services to the job seekers and employers such as sharing labor market and other appropriate information; reconfiguring affiliated sites and networks with board approval, and; meeting performance standards. Each separately funded program will also have a direct link with the respective agencies for allocations and contract compliance and reporting.

Training Providers

Training services may be provided under an "Individual Training Account" (ITA) or under contract if there are unique circumstances that make it appropriate. A list of State-certified training providers will be established through a process with the state, local board and CLEOs to enable broader customer choice via the ITA system. Local boards may not provide training services unless the Governor grants a waiver for a restricted duration. Contracts for training services may be used instead of the direct training individual account system only under specific circumstances such as on-the-job training or customized training or based on insufficient/ineffective training providers in the area. In either case, these services will be directly connected with the designated One-Stop.

**SAMPLE - RESOLUTION
FOR JURISDICTIONS TO WORK TOGETHER**

Authorizing the County Board Chairperson/City Mayor to execute a joint agreement between the jurisdictions in the workforce investment area to form a consortium under the federal Workforce Investment Act.

WHEREAS, the Congress of the United States adopted Public Law 105-220, the Workforce Investment Act, to replace the Job Training Partnership Act (JTPA); and

WHEREAS, the purpose of this Act is to: streamline services through a One-Stop service delivery, empower individuals through information and access to training resources, provide universal access to core services, increase accountability for results, ensure a strong role for Local Workforce Investment Boards and the private sector in the workforce investment system, facilitate State and local flexibility and improve youth programs.

WHEREAS, under Section 116 of the Act the Governor has designated workforce development areas within the state to implement the provisions of the Act therein; and

WHEREAS, the Act and state regulations adopted by the Governor under the Act allows the jurisdictions within a workforce development area to enter into a "consortium agreement" to define their roles and relationships in administering their responsibilities under the Act; and

WHEREAS, the Act requires the Chief Local Elected Official (County Board Chairperson or City Mayor) or his/her designee to perform several duties which assure local government control over the Local Plan adopted in our Workforce Development Area, and

WHEREAS, the jurisdictions in this Workforce Investment Area need to adopt a formal consortium agreement between them for filing with the Governor:

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors/City Council that the County Board Chairperson/City Mayor be and hereby is authorized to execute the "CHARTER CLEO CONSORTIUM AGREEMENT" of the _____ WORKFORCE INVESTMENT AREA under the WORKFORCE INVESTMENT ACT (P.L. 105-220) which is attached hereto and made a part hereof.

ADOPTED this _____ Day of _____, 1999.

(County Committee Name)

Attest: _____

County Clerk



**SAMPLE - CHARTER
CLEO AGREEMENT**

of the
_____ Local Workforce Investment Area
under the
WORKFORCE INVESTMENT ACT (P.L. 105-220)
THIS AGREEMENT, made and entered into this _____ day
of _____ 1999,
by and between the JURISDICTIONS
OF _____
In the Commonwealth of Virginia (hereinafter, the Jurisdictions):

WITNESSETH:

WHEREAS, the County Board of Supervisors/City Council of the
aforementioned jurisdictions did previously adopt resolutions
authorizing the County Board Chairperson/City Mayor to sign a
charter creating the

_____ Consortium in order to administer
the provisions of Public Law 105-220, the federal Workforce
Investment Act, and

WHEREAS, the County Board of Supervisors/City Council of each of
the aforementioned jurisdiction has adopted a resolution
authorizing the County Board Chairperson or City Mayor to sign
this Charter of the _____ Consortium under the
Workforce Investment Act (P.L. 105-220)" (hereinafter, the
"Charter"):

NOW, THEREFORE, in consideration of the above premises and the
mutual covenants of the parties hereinafter set forth, the
receipt and each party acknowledges sufficiency of which for
itself, the Jurisdictions do hereby agree to the following
Charter:

AGREEMENT

SECTION 1: That the Jurisdictions of
_____, do hereby constitute themselves to be
a consortium for the
purposes of Section 117 (c)(1)(B) of Public Law 105-220, the
Workforce Investment Act.

SECTION 2: The chief local elected officials (the chairpersons of
the County Board of Supervisors or City Mayor) or the designees
of said officials of the jurisdictions shall constitute the
Workforce Investment Area Consortium (hereinafter, the

"Consortium") which shall appoint the Local Workforce Investment Board under Section 117(c)(1)(A) of the Act.

SECTION 3: The Consortium shall elect from its membership a Chairperson, a Vice-Chairperson and such other officers as may be provided in the by-laws to serve for a term of one year or until a successor is elected and qualified. Vacancies shall be filled by election for the residue of the unexpired term. The Chairperson shall appoint a staff person of one of the consortium member counties or the administrative entity to serve as board clerk.

SECTION 4: Roberts Rules of Order, Newly Revised, shall govern the procedures of the Consortium insofar as they do not conflict with applicable law or administrative rules or by-laws duly adopted by the Consortium.

SECTION 5: The Consortium may adopt operational and procedural bylaws consistent with this Charter, applicable federal and state laws, and rules or regulations pursuant thereto. By-laws or amendments thereto may be adopted by the affirmative vote of 2/3 of the entire membership of the Consortium at any regular meeting called for that purpose, provided that written copies thereof are delivered to each member 15 days prior to consideration.

SECTION 6: The Consortium designates from its membership the local government jurisdiction of _____ City/County to serve as the grant recipient for Title I funds of the WIA.

SECTION 7: The Consortium shall appoint the Local Workforce Investment Board of the area, under Section 117(c)(1)(A) of P.L. 105-220 and applicable rules thereunder.

SECTION 8: The Consortium shall execute an agreement with the Local Workforce Investment Board for the operation and functions of the Board under Section 117 of the Act, and shall approve all Local Plans under Section 118 of the Act.

SECTION 9: The Consortium shall perform all functions for local elected officials as contained in P.L. 105-220, the federal Workforce Investment Act.

SECTION 10: This Charter agreement shall be effective when approved by Resolutions adopted by the County Board of Supervisors/City Council of each jurisdiction party hereto and executed by the chief elected official thereof pursuant to said resolution and shall thereupon act to repeal and supersede any and all prior written or oral consortium agreements under P.L. 102-367,

the Job Training Partnership Act.

SECTION 11: Amendments to the Charter agreement may be adopted with the concurrence of the Board of Supervisors/City Council of each jurisdiction party hereto. The Consortium may be dissolved and this agreement may be rescinded only with the consent of all the Boards of Supervisors/City Council of each jurisdiction party hereto and the Governor.

The following items may also be incorporated into this agreement at the local area's discretion:

- A sub-recipient or fiscal agent of the WIA funds, if desired by the local area,
- A formula or distribution methodology for providing services under WIA,
- The process of sharing associated liability for any misuse of WIA funds,
- Respective roles of member jurisdictions for appointment of LWIB members (suggested addition to Section 7),
- The process for nomination, appointment and certification of LWIB and Youth Council members.
- The process for conducting oversight of local programs, determined in conjunction with the Local Workforce Investment Board (suggested addition to Section 8),
- With the local workforce board, the process for participating in the development and submission of the local plan (suggested addition to Section 8),
- The process for selection of the one-stop operator, determined in conjunction with the local workforce board, including the formulation of a Memorandum of Understanding between the Local Workforce Investment Board and the selected operator (A sample MOU is included as Attachment E), and
- The process for approving a budget developed by the local workforce board for carrying out their duties.

IN WITNESS WHEREOF, the parties hereto have caused this Charter Agreement to be executed
by the Chairperson of the County Board of Supervisors or the City Mayor of the aforementioned Jurisdictions.

COUNTY
BY: _____

CITY
BY: _____

ETC. for the number of jurisdictions in the area

Done this _____ Day of
_____, 199__.

In the City/County of _____, VA.

ATTEST:

Attachment D

**SAMPLE - LOCAL ELECTED OFFICIAL CONSORTIUM
BY-LAWS**

OF THE

_____ CONSORTIUM

UNDER THE WORKFORCE INVESTMENT ACT

(P.L. 105-220)

Preamble

WHEREAS, _____ the _____ Jurisdictions _____ of

_____ have been duly constituted themselves to
be Local Workforce Investment Area Consortium; and

WHEREAS, the Consortium has been duly authorized by the Charter
of the _____ Consortium to adopt
bylaws for said consortium;

NOW, THEREFORE, the Consortium does hereby adopt the following
by-laws:

Article I

Consortium Established

The jurisdictions aforementioned do hereby constitute themselves
to be a consortium for the purpose of Section 117 (c)(1)(B) of
Public Law 105-220, the Workforce Investment Act.

Article II

Governance

A. CONSORTIUM:

The Consortium shall be governed by _____ members (hereinafter, "the Consortium"), which shall consist of the Chief Local Elected Officials of each member jurisdiction or the designee thereof, as provided hereinafter.

1. The Chief Local Elected Official (CLEO) shall be the County Board Chairperson or City Mayor.

2. The appointment of any CLEO of any member jurisdiction shall be subject to confirmation by the county board/city council of said jurisdiction. Notice of confirmed appointments shall be filed in writing with the clerk of the Consortium.

3. The appointed CLEO shall be an elected or appointed official of the jurisdiction represented, and shall serve a term concurrent with the term of the CLEO making the appointment. Should the appointee vacate his or her office, his or her seat on Consortium shall be deemed vacant.

4. No alternates, other than the CLEO designated hereunder, shall be permitted on the Consortium.

B. OFFICERS:

1. The Consortium shall annually in May select from its membership a Chairperson, a Vice-Chairperson and a Treasurer to serve for a term of one year or until a successor is elected and qualified. All officers shall be elected county officials. Vacancies shall be filled by election for the residue of the unexpired term. The Chairperson shall appoint a staff person of one of the Consortium member counties or of the Local Workforce Investment Board staff to serve as Clerk.

2. The Chairperson shall preside over meetings of the Consortium, act as chairperson of the executive committee, appoint all committees created by the Board, be responsible for the management of the affairs of the Consortium, and serve as the Consortium Chief Elected Official under Section 117 (c)(1)(B) of P.L. 105-220. The Chairperson shall sign all documents and contracts when authorized by the Consortium.

3. The Vice-Chairperson shall perform the duties of the Chairperson in his/her absence or disability.

4. The Treasurer shall be responsible for keeping or causing the financial records of the Consortium to be kept in proper order. The Treasurer shall deposit all funds in the Consortium

treasury and shall countersign all orders for the disbursal of Consortium funds.

5. The Clerk shall be responsible for the taking, recording, duplicating, distribution and filing of all minutes of the Consortium. The Clerk shall be responsible for keeping on file all official public records and correspondence of the Consortium or its members, upon request thereof.

C. COMMITTEES:

1. There is created an Executive Committee consisting of the officers in B(1) above. The Chairperson and Vice-Chairperson of the Consortium shall serve as the Chairperson and Vice-Chairperson of the committee, respectively. The committee shall be responsible for management of the day-to-day affairs of the Consortium between meetings thereof as authorized from time to time by the Consortium in accord with the provisions of P.L. 105-220.

2. The Consortium may create other standing committees designate, their duties and membership, and authorize the Chairperson to appoint same. All such committees shall consist only of Consortium members.

3. The Consortium may create such joint committees with the Local Workforce Investment Board as are needed to effectively administer the provisions of P.L. 105-220.

4. All committees authorized hereunder shall report and be accountable to the Consortium.

E. POWERS OF THE CONSORTIUM:

The Board shall exercise those powers granted to the Local Elected Officials in a consortium of local units of government under P.L. 105-220, including:

1. Appointment of the Local Workforce Investment Board (hereinafter, "the LWIB") under Section 117(c) of the Act, and any applicable agreements.

2. Designate an entity to serve as a local grant subrecipient or as a local fiscal agent.

3. Entering into planning and operations procedural agreements with the LWIB under Section 117 (d-i) of the Act.

4. Selection of a One-Stop Operator, jointly with the LWIB under Section 121 (d)(1).

5. Approval of a Local Plan, jointly with the LWIB, under Section 118 of the Act.

6. Approval of a budget, developed by the LWIB, for the carrying out the duties of the local board under Section 117 of the Act.

7. Exercise such other powers and establish such policies under the Act as may be necessary and

proper in order to carry out the foregoing powers.

ARTICLE III PROCEDURAL RULES

A. RULES OF ORDER: Roberts Rules of Order, Newly Revised, shall govern the proceedings of the Consortium insofar as they do not conflict with applicable law, administrative rules or these Bylaws.

B. QUORUM: A quorum shall consist of a majority of the Consortium duly representing member counties.

C. AGREEMENTS, PLANS AND BUDGETS: All agreements, local plans, and budgets for the administration of programs under P.L. 105-220 requiring Consortium approval, and any amendments thereto, shall be approved by majority vote of the members present at a meeting of the Consortium prior to execution by the Chairperson.

D. MEETINGS: Regular meetings shall be established by the Consortium or may be called by the Chairperson when deemed necessary. The Chairperson may cancel any meeting so called if he/she deems that the business is not sufficient to warrant it, with the consent of a majority of the Consortium.

E. LWIB APPOINTMENTS:

1. All regular appointments to LWIB positions shall be made by the Consortium after advertisement and solicitation for nominations in accord with the Consortium approved plan of representation and P.L. 105-220.

2. All appointments to fill vacancies on the LWIB shall be made by the Consortium for the residue of the unexpired term.

3. Resumes solicited from persons interested in serving on the LWIB shall be kept for one year and destroyed thereafter. If a LWIB vacancy occurs within one year of solicitation for candidate resumes, the Consortium may select from the candidates without further solicitation, providing the candidates meet the requirements of the plan of representation and P.L. 105-220.

4. All Consortium appointments shall require the approval by the recorded vote of a majority of the Consortium members present.

F . LWIB RECORDS: All records of the Consortium shall be kept at the office of the Workforce Development Board in the custody of the general manager. The Consortium shall promulgate

guidelines for public record accessibility and the rates to be charged for duplication.

G. VOTING:

1. All Consortium members shall vote on all questions unless excused by the Consortium for a conflict of interest. The member shall obtain Consortium consent prior to any recorded vote in order to abstain.

2. A recorded vote shall be taken by roll call at the request of any member upon any question before the Consortium.

ARTICLE IV

AMENDMENTS TO BYLAWS

A. Amendments may be proposed to the Consortium in writing by any member, and upon introduction, shall be referred to the Executive Committee, which shall report its recommendations to the Consortium at a subsequent meeting. Adoption shall require approval by the recorded vote of 2/3 of those present at a meeting of the Consortium.

B. Copies of all proposed amendments shall be furnished to each member at least ten (10) days prior to consideration.

ARTICLE V

RATIFICATION

These Bylaws shall be effective _____, 1999 upon adoption by a recorded vote of 2/3 of those present at a meeting of the Consortium called for such purpose.